IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.15705 of 2000

Dated: 14th August, 2006

Between:

Amruthlal & Co., rep.by its Managing Partner Amruthlal.

.. Petitioner

and

The District Collector (CS), Nizamabad.

.. Respondent

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.15705 of 2000

ORDER:

This writ petition is filed seeking Mandamus declaring the action of the respondent in not refunding 2/3rd value of the seized stock as

directed by the Division Bench of this Court in W.P.No.14125 of 1988 dated 19.11.1996 as arbitrary, illegal and consequently to direct the respondent to return the 2/3rd value of the seized goods with interest @ 18% per annum from the date of order i.e. 19.11.1996 till the date of payment.

It appears the petitioner is a partnership firm carrying on the business in rice and rice products. While so, the Vigilance Inspector inspected the petitioner's godown and registered a case under Section 6-A of the Essential Commodities Act, thereafter, final proceedings were passed confiscating the entire stock of the petitioner. Aggrieved by the same, petitioner filed appeal under Section 6-C of the Act before the learned District Judge, Nizamabad. Since the appeal was dismissed, he filed W.P.No.14125 of 1988 before this Court. A Division Bench of this Court, while disposing of the said writ petition by order dated 19.11.1996, directed the respondents to confiscate one third (1/3) of the sale proceeds of the seized goods and refund the balance of two-thirds (2/3) of the sale proceeds to the petitioner.

The grievance of the petitioner in this writ petition is that in spite of the order of this Hon'ble Court way back on 19.11.1996, the respondent is not refunding the 2/3rd value of the seized goods.

While admitting the writ petition on 19.4.2001, an interim direction was passed in W.P.M.P.No.19940 of 2000 directing the respondent to refund the value of the 2/3rd value of the seized goods as directed by this Court earlier.

In view of the above interim order dated 19.4.2001 passed in W.P.M.P.No.19940 of 2000, no further orders are necessary in this writ petition. However, the interim order passed shall be treated as final

orders in the writ petition. However, if the respondent, for any reason, has not complied with the interim order dated 19.4.2001, the same shall be complied with, within a period of one month from the date of receipt of a copy of this order, otherwise, the matter will be viewed seriously and the petitioner will be at liberty to initiate contempt proceedings against the respondent.

The writ petition is accordingly disposed of. No order as to costs.

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C.V.RAMULU, J

Date: 14.8.2006

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THE HON'BLE SRI JUSTICE C.V.RAMULU

14.8.2006